

ATTACHMENT B

INSTRUCTIONS, CONDITIONS, AND NOTICE TO OFFERORS

1. INFORMATION AND CONSIDERATIONS AFFECTING OFFEROR PROPOSAL SUBMISSIONS:

This section provides general guidance for preparing proposals as well as specific instructions on the format and content of the proposal. The offeror's proposal must include all data and information requested and must be submitted in accordance with these instructions. The offeror shall be compliant with the requirements as stated in the Statement of Work (SOW). Non-conformance with these instructions may result in an unfavorable proposal evaluation.

2. SMALL BUSINESS SET-ASIDE

This requirement is set-aside for competition among Small Business concerns.

3. POINT OF CONTACT

The Procurement Contracting Officer (PCO), Monica L. Price, is the sole point of contact for this acquisition. All written questions, correspondence, and submittals must be sent to the Contracting Officer. All questions pertaining to this solicitation must be addressed in writing to the Contracting Officer, Monica Price, at e-mail address, monica.price@faa.gov or mailing address FAA, Mike Monroney Aeronautical Center, Aviation, Medical & Training Division (AMQ-310), P.O. Box 25082, Oklahoma City, OK 73125. **DO NOT CONTACT THE PROGRAM OFFICE OR PROGRAM OFFICE PERSONNEL AT ANY TIME REGARDING THIS ACQUISITION.** Doing so could put your company at risk to be eliminated from competing.

4. COMBINED SYNOPSIS/SOLICITATION

This notice is a combined synopsis/solicitation for Placement of Multiple Blanket Purchase Agreements (BPAs) to provide US DOT Federal Motor Carrier Training Instruction, Revision, and Development for the Transportation Safety Institute (TSI).

5. MULTIPLE BLANKET PURCHASE AGREEMENTS

FAA intends to enter into not less than three (3) BPAs, and not more than five (5) BPAs. BPAs will be placed with those vendors deemed otherwise qualified for selection using the lowest price technically acceptable evaluation criteria described herein. The Government reserves the right to not establish any BPAs at all, depending on the quality of the proposals, prices submitted and the availability of funds.

6. EXPENSES RELATED TO OFFEROR SUBMISSIONS

This solicitation is not to be construed as a contract or a commitment of any kind. The Government shall not be liable for payment of any costs attributed to the preparation and submission of proposals. Therefore any cost associated with the proposal submission is solely at the interested vendor's expense.

7. PROPOSAL SUBMISSIONS

Only one proposal from each offerer shall be considered. The FAA reserves the right to reject, as unacceptable, proposals deleting or altering technical requirements.

Offers must be submitted no later than 2:00 p.m. Central Time, **March 23rd, 2012**. For delivery through the U.S. Postal Service, the address is: FAA MMAC, Attention: AMQ-310, Monica Price, PO Box 25082, Oklahoma City, OK 73125-4931. For courier or hand-carried deliveries, the address is: FAA MMAC, Attention: AMQ-310, Monica Price, Room 377, 6500 S. MacArthur Boulevard, Oklahoma City, OK 73169. Please include the announcement number on your package. Offerors submitting proposals by hand-delivery will need to consider allowing sufficient time to process through the security procedures in place at the Mike Monroney Aeronautical Center (MMAC). Overnight delivery of proposals in response to this solicitation may also be impacted if not sent in sufficient time to allow for the special mail handling procedures in place at the MMAC.

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8. DISPOSITION OF UNSUCCESSFUL PROPOSALS

Proposals from unsuccessful offerors will not be returned to the offeror. Proposal originals will be retained in the contract file. The Contracting Officer will destroy all other copies.

9. INSTRUCTIONS FOR PREPARATION OF PROPOSALS

INTERESTED VENDORS MUST SUBMIT:

- (1) **Technical Proposal including Resume** (original and 2 copies) in response to the SOW (Attachment A) and Evaluation Criteria (Attachment C) (not to exceed 30 pages);
- (2) **Price Proposal** Completed Request for Quote form (Attachment D) (3 pages)
- (3) **Past Performance Contracts List** (not to exceed 3 pages)
- (4) **Business Declaration Form and Representations and Certifications** including all fill-ins (Attachment E);

ATTACHMENTS:

Attachment A- Statement of Work (6 Pages)
Attachment B- Instructions, Conditions, and Notices to Offerors (6 Pages)
Attachment C- Evaluation Criteria (4 Pages)
Attachment D- Request for Quote (RFQ) (4 Pages)
Attachment E- Business Declaration and Reps and Certs (9 Pages)
Attachment F- Sample Client Authorization Letter (1 Page)
Attachment G -Past Performance Questionnaire (2 Pages)

10. TECHNICAL PROPOSAL INCLUDING RESUME

The contractor shall submit a written technical proposal describing their abilities to provide the required services identified in the Statement of Work (Attachment A). Responses will be evaluated against the evaluation factors as defined in the Evaluation Criteria (Attachment C).

Offerors are instructed to provide one original and two copies of the technical proposal including resume. The page limitation is not to exceed 30 pages. The solicitation requires the offeror to propose specific personnel for the labor categories, and to provide a resume for each proposed person. The resume should clearly indicate that the proposed personnel for each of the positions fully meets all of the Qualification requirements for the position as outlined the Statement of Work and Evaluation Criteria.

The Technical proposal must validate the technical evaluation factors in the Evaluation Criteria (Attachment C). A table of contents page should be included at the beginning to reference the specific page number(s) where the Government may easily locate the information directly addressing each technical evaluation factors.

The technical proposal must be specific and in sufficient detail to enable an evaluation team to determine if the proposed services meet the requirements of the Government and to determine that the offeror has a thorough understanding of the requirement.

Offerors are advised to submit proposals, which are clear and comprehensive without additional explanation or information. General statements that the Offeror understands the requirements of the work to be performed, or simple rephrasing or restating of the FAA's requirements, will not be considered adequate. Additional information may be requested from offerors whose proposals are considered to be reasonably susceptible to being made acceptable; however, the Government reserves the right to place blanket purchase agreements based on initial offers received, without discussions or negotiations.

Offerors shall provide the Name, Title, Email, and Telephone Number of the company/division point of contact regarding decisions made with respect to your proposal and who possesses the authority to obligate your company

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contractually.

11. PRICE PROPOSAL

The Contractor shall submit pricing as follows:

The offeror must include a completed Request for Quotation form (Attachment D). Offeror shall provide a fixed fully burdened hourly rate.

Note: The Government anticipates that pricing of this action will be based on adequate price competition; If however, competition does not materialize, the Contracting Officer may require upon request "other than certified cost and pricing" deemed necessary to adequately evaluate the reasonableness of the price after receipt of proposals.

12. PAST PERFORMANCE CONTRACTS LIST

The Offeror must provide the following information for **three (3)** recent contracts of similar size, complexity and scope to this acquisition awarded within the last **three (3)** years.

Information Required	Contract #1	Contract #2	Contract #3
Company Name			
Program Title			
Name of Customer and Address			
Contract Number			
Contract Type			
Points of Contact (Name, Ph, Email) Contracting Officer: Program Officer:			
Period of Performance			
Offeror's Role (Prime, Subcontractor)			
Total Contract Ceiling			
Project Description			

Additionally, the Offeror shall complete and forward "**Sample Client Authorization Letter**" (Attachment F) to those clients identified in the Contracts Listing described above along with (Attachment G) "**Past Performance Questionnaire**" for the client to complete.

As stated in the "Sample Client Authorization Letter", the client shall complete and submit the "Past Performance Questionnaire" directly to the FAA Contracting Officer at the address below or via email by **MARCH 23RD, 2012**. Responses may be submitted to email: monica.price@faa.gov

Mailing Address:

FAA Contracting Officer: Monica Price, AMQ-310
Federal Aviation Administration
Mike Monroney Aeronautical Center
6500 S. MacArthur Blvd, MPB Rm 377
Oklahoma City, OK 73169

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The solicitation documents and incorporated provisions and clauses are those in effect through AMS effective the date of this announcement, full text of which can be viewed at link: <https://conwrite.faa.gov/>. This acquisition will be processed under Simplified Acquisition Procedures (SAP) and will be procured in accordance with Acquisition Management System (AMS) and supplemented with additional information included herein.

This Notice is for informational purposes for Minority, Women-Owned and Disadvantaged Business Enterprises: The Department of Transportation (DOT), Office of Small and Disadvantaged Business Utilization, has a program to assist small businesses, small businesses owned and controlled by a socially and economically disadvantaged individuals, and women-owned concerns to acquire short-term working capital assistance for transportation-related contracts. Loans are available under the DOT Short Term Lending Program (STLP) at prime interest rates to provide accounts receivable financing. The maximum line of credit is \$750,000. For further information and applicable forms concerning the STLP, call the OSDBU at (800) 532-1169.

NOTICE TO OFFERORS OF AVAILABILITY OF FUNDS (JAN 1997)

CLA.2710

The purpose of this provision is to put offerors on notice that funds are not presently available for this procurement. Offerors are hereby notified that this solicitation may be canceled. If funds do not become available, the Government will not be liable for any proposal preparation costs if this solicitation is canceled. Offerors will prepare proposals at their own risk. Therefore, the Government's obligation is contingent upon the availability of appropriated funds from which payment for contract purposes can be made. No legal liability on the part of the Government for any payment may arise until funds are made available to the Contracting Officer and no contract may be awarded until funds are available.

REQUEST FOR MODIFICATION OF CONTRACT TERMS AND CONDITIONS (JAN 1997)

CLA.4533

Offeror's are hereby notified that the terms and conditions of this SIR shall be changed only through formal amendment(s) issued by the Contracting Officer. If an offeror takes issue with the terms and conditions contained herein, the offeror shall submit a Request for Modification of Terms and Conditions under separate attachment to their proposal. This request should be in offeror's format, on offeror's letterhead, signed by an officer of the company with authority to bind the offeror. The request must include documentation that fully highlights the offeror's proposed changes and must be specific as to the exact term(s) or condition (s) to which the exception(s) are being taken. These changes shall not be binding on the FAA until fully agreed to by both the FAA and the offeror and incorporated into the document prior to contract award.

3.2.2.3-20 Electronic Offers (July 2004)

- (a) The offeror (you) may submit responses to this SIR by the following electronic means: E-mail. Your offer must arrive at the place and by the time specified in the SIR.
- (b) Electronic offers must refer to this SIR and include, as applicable, the item or sub-items, quantities, unit prices, time and place of delivery, all representations and other information required and a statement specifying the extent of your agreement with all the FAA's (we) terms, conditions, and provisions.
- (c) We may decline to consider electronic offers that do not include required information, or that reject any of the terms, conditions and provisions of the SIR.
- (d) We reserve the right to make award solely on the electronic offer. However, if the CO requests, **you must promptly submit the complete original (hard copy) signed proposal.**
- (e) Send your offer electronically to Monica Price email: monica.price@faa.gov

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(f) If you chose to sent your offer electronically, we will not be responsible for any failure attributable to transmitting or receiving the offer.

3.9.1-3 Protest (October 2011)

AS A CONDITION OF SUBMITTING AN OFFER OR RESPONSE TO THIS SIR (OR OTHER SOLICITATION, IF APPROPRIATE), THE OFFEROR OR POTENTIAL OFFEROR AGREES TO BE BOUND BY THE FOLLOWING PROVISIONS RELATING TO PROTESTS:

(a) Protests concerning Federal Aviation Administration Screening Information Requests (SIRs) or awards of contracts shall be resolved through the Federal Aviation Administration (FAA) dispute resolution system at the Office of Dispute Resolution for Acquisition (ODRA) and shall be governed by the procedures set forth in 14 C.F.R. Parts 14 and 17, which are hereby incorporated by reference. Judicial review, where available, will be in accordance with 49 U.S.C. 46110 and shall apply only to final agency decisions. A protestor may seek review of a final FAA decision only after its administrative remedies have been exhausted.

(b) Offerors initially should attempt to resolve any issues concerning potential protests with the Contracting Officer. The Contracting Officer should make reasonable efforts to answer questions promptly and completely, and, where possible, to resolve concerns or controversies. The protest time limitations, however, will not be extended by attempts to resolve a potential protest with the Contracting Officer.

(c) The filing of a protest with the ODRA may be accomplished by mail, overnight delivery, hand delivery, or by facsimile or if permitted by order of the ODRA, by electronic filing.. A protest is considered to be filed on the date it is received by the ODRA during normal business hours. The ODRA's normal business hours are from 8:30 am to 5:00 pm Eastern Time.

(d) Only an interested party may file a protest. An interested party is one whose direct economic interest has been or would be affected by the award or failure to award an FAA contract. Proposed subcontractors are not "interested parties" within this definition.

(e) A written protest must be filed with the ODRA within the times set forth below, or the protest shall be dismissed as untimely:

(1) Protests based upon alleged improprieties in a solicitation or a SIR that are apparent prior to bid

opening or the time set for receipt of initial proposals shall be filed prior to bid opening or the time set for the receipt of initial proposals.

(2) In procurements where proposals are requested, alleged improprieties that do not exist in the initial solicitation, but which are subsequently incorporated into the solicitation, must be protested not later than the next closing time for receipt of proposals following the incorporation.

(3) For protests other than those related to alleged solicitation improprieties, the protest must be filed on the later of the following two dates:

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(i) Not later than seven (7) business days after the date the protester knew or should have known of the grounds for the protest; or

(ii) If the protester has requested a post-award debriefing from the FAA Product Team, not later than five (5) business days after the date on which the Product Team holds that debriefing.

(f) Protests shall be filed at:

(1) Office of Dispute Resolution for Acquisition
Federal Aviation Administration
800 Independence Ave., S.W.
Room 323
Washington, DC 20591

Telephone: (202) 267-3290
Facsimile: (202) 267-3720; or

(2) Other address as specified in 14 CFR Part 17.

(g) At the same time as filing the protest with the ODRA, the protester shall serve a copy of the protest on the Contracting Officer and any other official designated in the SIR for receipt of protests by means reasonably calculated to be received by the Contracting Officer on the same day as it is to be received by the ODRA. The protest shall include a signed statement from the protester, certifying to the ODRA the manner of service, date, and time when a copy of the protest was served on the Contracting Officer and other designated official(s).

(h) Additional information and guidance about the ODRA dispute resolution process for protests can be found on the ODRA Website at <http://www.faa.gov>.

3.1-1 Clauses and Provisions Incorporated by reference (July 2011)

This screening information request (SIR) or contract, as applicable, incorporates by reference the provisions or clauses listed below with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make the full text available, or offerors and contractors may obtain the full text via Internet at: <http://conwrite.faa.gov>.

3.2.2.3-1	False Statements in Offers (July 2004)
3.2.2.3-6	Submittals in the English Language (July 2004)
3.2.2.3-7	Submittals in U.S. Currency (July 2004)
3.2.2.3-11	Unnecessarily Elaborate Submittals (July 2004)
3.2.2.3-12	Amendments to Screening Information Requests (July 2004)
3.2.2.3-13	Submission of Information/Documentation/Offer (July 2004)
3.2.2.3-14	Late Submissions, Modifications, and Withdrawals of Submittals (July 2004)
3.2.2.3-16	Restricting, Disclosing and Using Data (July 2004)
3.2.2.3-17	Preparing Offers (July 2004)
3.2.2.3-18	Prospective Offeror's Requests for Explanations (February 2009)
3.2.2.3-19	Contract Award (July 2004)
3.13-4	Contractor Identification Number—Data Universal Numbering System (DUNS) Number (April 2006)